

Di-az et al v. Tesla, Inc. et al
U.S. District Court for the Northern District of California
Case No. 17-cv-06748-WHO

EXHIBIT 16

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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DEMETRIC DI-AZ, OWEN DIAZ, and
LAMAR PATTERSON,

Plaintiffs,

vs.

Case No. 3:17-cv-06748-WHO

TESLA, INC. dba TESLA MOTORS,
INC.; CITISTAFF SOLUTIONS,
INC.; WEST VALLEY STAFFING
GROUP; CHARTWELL STAFFING
SERVICES, INC.; NEXTSOURCE,
INC.; and DOES 1-50,
inclusive,

Defendants.

_____ /

THE VIDEOTAPED DEPOSITION OF
THE PERSON MOST KNOWLEDGEABLE OF
WEST VALLEY STAFFING GROUP
TERESA KOSSAYIAN

Wednesday, April 24, 2019

Reported by: Patricia Rosinski, CSR #4555

Job No. 13559

1 **A. I do.**

2 **Q. And what is Exhibit 103?**

3 **A. This is West Valley Staffing Group's policy**
4 **on harassment.**

5 **Q. Okay. And is this something that gets**
6 **updated from time to time?**

7 **A. It is.**

8 **Q. Would you have a role in updating any**
9 **change in this policy on harassment?**

10 **A. I would.**

11 **Q. And do you recall the last time that**
12 **West Valley's policy on harassment was modified in**
13 **any way?**

14 **A. Specific date, I don't remember, but we're**
15 **constantly looking at it. That's why we have legal**
16 **counsel (indicating).**

17 **Q. Right.**

18 **A. He keeps us up to date.**

19 **Q. Okay. Can we take a short break?**

20 The time is 11:03.

21 (Whereupon, a recess was held from
22 11:03 a.m. to 11:15 a.m.)

23 MR. ORGAN: We're back on the record. The
24 time is 11:15.

25 **Q. Who was the recruiter who worked at the**

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1 **A. Correct.**

2 Q. Okay. Now, have you personally conducted
3 any investigations relative to Mr. Di-az's complaint
4 of race harassment?

5 **A. I have not.**

6 Q. Are you aware of West Valley doing any
7 investigation into Mr. Di-az's complaint of race
8 harassment?

9 MR. HORTON: Objection. Vague as to time.
10 Are you talking about before the lawsuit
11 was filed or after?

12 MR. ORGAN: Yes -- let me break it down.
13 That's a good point.

14 Q. Before Mr. Di-az filed this lawsuit, were
15 you aware of any complaints of discrimination or
16 harassment relative to Demetric Di-az?

17 **A. No.**

18 Q. Once -- so you didn't do any
19 investigations, obviously, because you weren't
20 aware.

21 Is that correct?

22 **A. That is correct.**

23 Q. And then after Mr. Di-az filed his
24 complaint of race harassment --

25 MR. HORTON: No.

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1 to support actions or activities.

2 MR. ORGAN: Okay.

3 THE WITNESS: Upon reading these, and
4 especially the Close, and the reasons, I also look
5 in -- sometimes in our HR department, they keep
6 individual notes on the network if someone
7 complained about something because according to
8 this, I cannot find that there was a complaint made
9 and that we recorded it.

10 But if there's a possibility that someone
11 talked to somebody and it wasn't recorded in the
12 StaffSuite system, but put possibly in -- be in our
13 HR notes, and I could not find anything. That's my
14 first step.

15 MR. ORGAN: Q. Okay. Were there any HR
16 notes on Demetric Di-az?

17 A. No.

18 Q. Okay. And then -- now, if Mr. Di-az had
19 suffered harassment in the workplace, one of his
20 avenues of complaint was to complain to a supervisor
21 at Tesla; correct?

22 A. One of his avenues, yes.

23 Q. And did you talk to anybody at Tesla to see
24 whether or not Mr. Di-az had complained to them
25 about the way he was treated?

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1 CERTIFICATE OF REPORTER

2 STATE OF)
CALIFORNIA) ss.
3)
COUNTY OF MARIN
4

5
6 I, PATRICIA ROSINSKI, a Certified Shorthand
Reporter, holding a valid and current license issued by
the State of California, CSR No. 4555, duly authorized to
7 administer oaths, do hereby certify:

8 That TERESA KOSSAYIAN, the witness in the
foregoing deposition was administered an oath to
9 testify to the whole truth in the said within-entitled
cause;

10 That said deposition was taken down by me in
11 shorthand at the time and place therein stated and
thereafter transcribed into typewriting, by computer,
12 under my direction and supervision.

13 (xx) Reading and signing was requested.

14 () Reading and signing was waived.

15 () Reading and signing was not requested.

16 Should the signature of the witness not be
affixed to the deposition, the witness shall not have
17 availed himself/herself of the opportunity to sign or
the signature has been waived.

18 I further certify that I am not interested in
19 the outcome of said action, nor connected with, nor
related to any of the parties in said action, nor to
20 their respective counsel.

21
22 IN WITNESS WHEREOF, I have hereunto set my hand
this.

23 30th day of April, 2019.
24
25 _____